

REMARKS

Applicant wishes to thank the Examiner for the attention accorded to the instant application, and respectfully requests reconsideration of the application as amended.

Formal Matters

Applicant requests that this amendment submitted under 37 CFR § 1.114 along with a Request for Continued Examination (RCE) be entered and the examination of the application be continued.

Claims 1 and 3-14 are the claims currently pending in the present Application. Claims 1 and 6 are amended; claim 2 had previously been canceled. In particular, independent claims 1 and 6 are amended to recite that the image read by the scanner is stored as a bookmark image. Support for this amendment can be found in the specification on page 8, lines 10-11.

Rejection of Claims 1 and 3-14 under 35 U.S.C. §103

Claims 1 and 3-14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Schena et al., U.S. Patent No. 6,546,418, in view of Dougherty et al., U.S. Patent No. 6,587,859 and Turlington, "Sams Teach Yourself Netscape Communicator® 4.5 in 24 Hours". This rejection should be withdrawn based on the comments and remarks herein.

It is characteristic of applicant's invention that the inventive apparatus stores an image as a bookmark image, the image having been read by the reading element with a scanner (page 14, lines 11-13). This feature advantageously enables understanding of the details of a destination by using a bookmark image created from a scanned image. For example, when applicant's inventive technology is applied to catalog shopping, making a bookmark image with the image of goods scanned from the catalog enables the user to comprehend at a glance which goods the bookmark is related to. The present invention does not relate to images on physical medium (e.g. paper). Instead, applicant's inventive apparatus includes storing a scanned image as a

bookmark icon for web browser (page 14, lines 11-13, page 16, lines 11-16). The characteristic operation of the present invention is making or creating a bookmark icon within an information terminal apparatus for a web browser. The scanned image expresses destination information of the bookmark icon in detail.

As the Examiner acknowledges, while Schena discloses scanning codes for immediate or delayed processing or for reference [10:7-12, 43-47], Schena does not teach displaying a scanned image on his apparatus. Schena also does not teach or suggest that the links are associated with graphics, such as icons. Accordingly, Schena does not teach or suggest storing an image or other graphic with the link, and does not teach or suggest saving a scanned image as a bookmark icon, as recited in independent claims 1 and 6.

Neither Dougherty nor Turlington overcome this deficiency, and the Examiner does not state otherwise. Dougherty teaches special regions termed Linkmarks (column 4, lines 54-55), which are scannable codes that may have machine readable content as well as human-readable image content (column 11, lines 19-31). This predefined human-readable image content is on the encoded physical medium. Dougherty does not create the bookmark icon using a reading element and does not store a created bookmark image within the portable information terminal apparatus. Dougherty cannot access destination information without performing scanning of the encoded physical medium.

Turlington makes a bookmark icon based on predetermined data not a scanned image. Using the bookmark icon of Turlington, a user cannot understand or determine detailed contents of the destination, but instead only receives predetermined information about the destination. Also Turlington does not disclose storing the scanned image as bookmark icon. In addition, Dougherty and Turlington do not teach or suggest that a reading element makes a bookmark image using a scanned image.

490 F.2d 981, 180 USPQ 580 (CCPA 1974). As illustrated above, the hypothetical combination of Schena, Dougherty, and/or Turlington does not teach or suggest a handheld apparatus or device having a reading element that makes a bookmark image using a scanned image or storing the scanned image as a bookmark icon associated with the access destination information or contents locating information, and does not teach or suggest each and every feature of the present invention as recited in independent claims 1 and 6. Thus *prima facie* obviousness has not been established, so that these independent claims patentably distinguish over the art of record in the application. Claims 3-5 depend from claim 1, and claims 7-14 depend from claim 6, each dependent claim incorporating all of the features and limitations of its base claim. Thus, these dependent claims are patentably distinguishable over the art of record in the application for at least the reasons that their base claims are patentably distinguishable over the art of record the application. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

In light of the foregoing, Applicant respectfully submits that all pending claims recite patentable subject matter, and kindly solicits an early and favorable indication of allowability. If the Examiner has any reservation in allowing the claims, and believes a telephone interview would advance prosecution, he is kindly requested to telephone the undersigned at his earliest convenience.

Respectfully submitted,



Katherine R. Vieyra
Registration No. 47,155

Scully, Scott, Murphy & Presser
400 Garden City Plaza, Ste. 300
Garden City, New York 11530
(516) 742-4343
KRV:cc